

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF TEXAS
 AMARILLO DIVISION

JERRY WHITE, a/k/a	§	
Jerry L. White, Jr., <i>PRO SE</i> ,	§	
No. 16101,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:09-CV-0111
	§	
DON COPELAND and	§	
SHELLY MCCARN,	§	
	§	
Defendants.	§	

**ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT;
 ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
 AND SUPPLEMENT; AND ORDER OF DISMISSAL**

Plaintiff JERRY WHITE, proceeding pro se and while a prisoner confined in the Gray County Jail, has filed suit pursuant to Title 42, United States Code, Section 1983 complaining against defendants, Don Copeland, Sheriff, Gray County, Texas, and Shelly McCarn, jail administrator, Gray County, Texas, and was granted leave to proceed in accord with Title 28, United States Code, section 1915(b).

On March 9, 2010, the Magistrate Judge issued a Report and Recommendation that plaintiff's Motion for Summary Judgment be denied and defendant's Motion for Summary Judgment and Supplement be granted.

No objections to the March 9, 2010 Report and Recommendation have been filed by either party; and the response period has expired. Instead, plaintiff's copy of the Report and Recommendation was returned undelivered and bearing the notation, "Return to Sender – Inmate No Longer Here."

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation.

The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that plaintiff's Motion for Summary Judgment is DENIED; defendants' Motion for Summary Judgment and Supplement is GRANTED; and the Civil Rights Complaint by plaintiff JERRY WHITE is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk will mail a copy of this Order to the plaintiff, and to any attorney of record by first class mail.

It is SO ORDERED.

Signed this the 25th day of March, 2010.

/s/ Mary Lou Robinson
MARY LOU ROBINSON
United States District Judge